

Patent Application

Attorney Docket No.: DT-0102

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: DELURGIO et al.

Attorney Docket No.: DT-0102

Application No.: 09/849,621

Examiner: Meinecke Diaz, Susanna M.

Filed: May 5, 2001

Group: 3623

Title: APPARATUS FOR MARCHANDISE  
PROMOTION OPTIMIZATION

Confirmation No: 1510

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 5, 2006.

January 5, 2006

Signed: Kang S. Lim  
Kang S. Lim

Dear Sirs:

### INFORMATION DISCLOSURE STATEMENT FILED UNDER 37 C.F.R. §§ 1.56 AND 1.97(b)

Pursuant to 37 C.F.R. § 1.56, Applicants bring the following documents to the Examiner's attention in the referenced application.

Citation of the above documents shall not be construed as an admission that the documents are necessarily prior art with respect to the referenced application. Furthermore, citation of the above documents shall not be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

— 37 C.F.R. § 1.97(b). This Information Disclosure Statement is: (i) filed within three (3) months of the filing date of the above-referenced application, (ii) believed to be filed before the mailing date of a first Office Action on the merits or, (iii) believed to be filed before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. Accordingly, it is believed that no fees are due in connection with the filing of this Information Disclosure Statement.

X 37 C.F.R. § 1.97(c). This Information Disclosure Statement is filed after the period specified in C.F.R § 1.97(b), but is believed to be filed before the mailing date of either (i) a final action under § 1.113 or, (ii) a notice of allowance under § 1.311.

— A certification pursuant to 37 C.F.R. §1.97(e) or

X A Credit Card Payment Form authorizing the amount of \$180.00 for the fee under 37 C.F.R. § 1.17(p).

If the Examiner has any questions or comments with respect to the present application, the Examiner is respectfully invited to telephone the undersigned at (925) 570 8198. The Commissioner is authorized to charge any additional fees that may be due to our Deposit Account No. 50-2766 (Order No. DT0102).

LAW OFFICES OF KANG S. LIM  
PMB 436  
3494 Camino Tassajara Road  
Danville, CA 94506  
Voice: (925) 570 8198  
Facsimile: (925) 736 3974

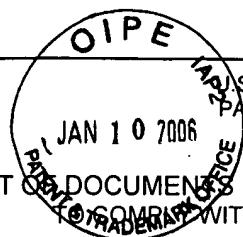
Respectfully submitted,



Kang S. Lim  
Attorney for Applicant(s)  
Reg. No. 37,491

CUSTOMER NO. 36088

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LIST OF DOCUMENTS CITED BY APPLICANT WITH 37 C.F.R. 1.56	ATTY. DOCKET NO. DT-0102	SERIAL NO. 09/849,621
	APPLICANT DELURGIO	
	FILING DATE 05/05/2001	GROUP Unknown

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6,965,867	11/15/05	Jameson			
	AB	6,910,017	06/21/05	Woo et al.			
	AC	6,546,387	04/08/03	Triggs			
	AD	2002/0198794	12/26/02	Williams et al.			
	AE	2002/0123930	09/05/02	Boyd et al.			
	AF	2002/0107819	08/08/02	Ouimet			
	AG	6,405,175	06/11/02	Ng			
	AH	2002/0023001	02/21/02	McFarlin et al.			
	AI	5,615,109	03/25/97	Eder			
	AJ	5,521,813	05/28/96	Fox et al.			
	AK	5,212,791	05/18/93	Damian et al.			
	AL	4,744,026	05/10/88	Vanderbei			

OTHER DOCUMENTS (*Including Author, Title, Date, Pertinent Pages, Etc.*)

BA	Barth, Brad, "Shopko Tests Automated Markdowns", WWD 10/04/00, pages 1-3.
BB	Cook, Martie, "Optimizing Space and Sales with Markdown Software", Office.com, 05/31/2000, page 1.
BC	"Essentus and Spotlight Solutions Partnership Delivers Precise Markdown Decisions", Business Wire, 04/17/00, 3 pages.
BD	Melcer, Rachel, "Local Tech Firm Creates Retail Markdown Tool", Business Courier online, 03/24/00, pages 1-4.
BE	Technology Strategy Incorporated, <a href="http://www.grossprofit.com">www.grossprofit.com</a> , 03/02/00, pages 1-20.
BF	Kadiyali et al., "Manufacturer-retailer Channel Interactions and Implications for Channel Power: An Investigation of Pricing in Local Market", Marketing Science, Spring 2000, V. 19, Issue 2.
BG	Andrew B. Gelman et al., "Bayesian Data Analysis", pgs. 439-455, Chapman & Hall/CRC, First Edition 1995, Reprinted 2000.
BH	Hillier, Frederick S., et al., "Introduction to Operations Research", McGraw-Hill, Inc., 1995, Sixth Edition, pages 1-14.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.